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UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

MARK L. SHARP,

Plaintiff

v.

CAPURRO TRUCKING,

Defendant

Case No.: 3:22-cv-00071-MMD -CSD

**Report & Recommendation of
United States Magistrate Judge**

This Report and Recommendation is made to the Honorable Miranda M. Du, Chief United States District Judge. The action was referred to the undersigned Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and the Local Rules of Practice, LR 1B 1-4.

Plaintiff initiated this action by filing a document seeking an extension of time to file a civil action and pay the filing fee. (ECF No. 1-1.) The document was not accompanied by the filing fee or an application to proceed *in forma pauperis* (IFP).

On February 14, 2022, the court issued an order advising Plaintiff that a civil action is commenced by filing a complaint with the court, and a civil litigant must either pay the \$402 filing fee (consisting of the \$350 filing fee and \$50 administrative fee) or submit an application to proceed IFP. The court denied Plaintiff's request to extend the time to file a civil action, and gave him 30 days to file a complaint and either pay the \$402 filing fee or file a completed IFP application. (ECF No. 3.)

To date, Plaintiff has not filed a complaint, paid the filing fee or filed an IFP application. Therefore, it is recommended that this action be dismissed without prejudice and that the case be administratively closed.

RECOMMENDATION

IT IS HEREBY RECOMMENDED that the District Judge enter an order **DISMISSING** this action **WITHOUT PREJUDICE** and administratively closing the case.

The parties should be aware of the following:

1. That they may file, pursuant to 28 U.S.C. § 636(b)(1)(C), specific written objections to this Report and Recommendation within fourteen days of being served with a copy of the Report and Recommendation. These objections should be titled “Objections to Magistrate Judge’s Report and Recommendation” and should be accompanied by points and authorities for consideration by the district judge.

2. That this Report and Recommendation is not an appealable order and that any notice of appeal pursuant to Rule 4(a)(1) of the Federal Rules of Appellate Procedure should not be filed until entry of judgment by the district court.

Dated: March 29, 2022


Craig S. Denney
United States Magistrate Judge